



City of Seattle

Department of Planning and Development

D. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3013594
Applicant: Paul Pierce
Address of Proposals: 2556 14th Avenue W

SUMMARY OF PROPOSED ACTION

Land Use Application to allow residential development with nine, 3-story townhouse structures in an environmentally critical area. Surface parking for nine vehicles to be provided on site.

The following approvals are required:

The following Master Use Permit components are required:

Design Review Departures (SMC Chapter 23.41)

Development Standard Departure : none

SEPA-Environmental Determination (SMC Chapter 25.05)

SEPA Determination: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
☐ MDNS with conditions
☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

Site Description:

The site is located midblock along the east side of 14th Avenue W between W Raye Street and Gilman Drive W. The existing site is vacant with grass and a few ornamental trees and shrubs. The site slopes approximately 30 feet down from the alley to 14th Ave W.

The site is zoned Lowrise Three (LR3) multifamily residential, as are the properties to the north, south and west. Across the alley to the east zoning changes to Lowrise One (LR1).

ECAs:

The site is located in a Potential Slide Environmentally Critical Area, and a 1000' Abandoned Landfill Methane Buffer Environmentally Critical Area. These ECAs require DPD Geotechnical review.

Access:

The site is bordered by an alley on the east and 14th Ave W on the west.

Surrounding Development and Neighborhood Character:

The surrounding development includes predominantly three to four story multi-family buildings with a few single family structures nearby. Most of the buildings have covered surface parking at the alley, and/or tuck-under structured parking accessed from 14th Ave W.

The area is characterized by a steady slope from the top of Queen Anne hill on the east, down to the Interbay area to the west. The immediate vicinity is dominated by 3-4 story multi-family structures constructed from approximately 1950 to the present. A few single family structures are located nearby. The architectural character is varied.

14th Ave W is a split street, separated by a vegetated embankment. A pedestrian stair crosses this embankment at W Raye Street, north of the site. Although 14th Ave W is split, there is no indication that the street is a one-way street on either side of the split.

The platting pattern in this area is irregular and follows the hillside. The blocks are relatively long measured north-south, and the alleys don't always intersect with the streets at a 90 degree angle. The alley behind this site is accessed via two entries from Gilman Drive W and 13th Ave W to the south, or Prosch Ave W to the north.

The area includes sidewalk, curb, and gutter, and appears to have a high level of pedestrian activity in spite of the narrow sidewalks. Frequent transit service is located at 15th Ave W, one block to the west.

The slopes in this area offer views to the west, including Elliott Bay to the southwest.



EARLY DESIGN GUIDANCE MEETING: October 17, 2012.

DESIGN PRESENTATION

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number(s) (3013594) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The EDG packet is also available to view in the 3012560 and 3012563 file, by contacting the Public Resource Center at DPD:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

Approximately eight members of the public signed in at this Early Design Review meeting. Comments and questions included the following:

- Maximize landscaping and greenery on site and rooftops.
- Insufficient parking provided.
- Clarify height and location of rooftop railing and stair penthouse.
- Clarify location of proposed setbacks.
- Incorporate feature to minimize noise impacts from courtyard, rooftop and units to adjacent residential buildings.
- Upgrade alley treatment and minimize use of large trucks within the alley right-of-way.
- Provide solid wood fence with landscaping buffer at ground level on north and south property line to provide privacy adjacent ground level units.
- Provide a front setback more consistent with location of adjacent structures.
- Prefer proposed design to previous projects proposed on site.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

EARLY DESIGN GUIDANCE (OCTOBER 17, 2012):

1. **Massing Compatibility.** The preferred massing alternative divides nine units into three separate structures, allowing each structure to relate to the sloping grade on site.
 - a. Maintain three separate structures, separated by courtyard, to reduce the overall massing of the nine unit townhouse development, allowing for additional light and air for adjacent residential structures (A-1, A-5, B1).

- b. Townhouse entries along the front façade are distinguished by vertical wood modulation bordered by a dark frame. Maintain the façade treatment which clearly divides the substantial façade length into five defined residential units (B-1, A-3).
- c. Continue use of horizontal tripartite building design reducing building height into smaller units (A-1).
- d. Subject proposal provides a 13 foot setback on the front façade, substantially larger than the code required 7 foot setback. Maintain the increased setback to create a generous street front edge more consistent with adjacent setback on either side of the proposed development (A-1, A-2, A-6).

2. Maximize Privacy. The development is located adjacent to a number of residential structures which may impact privacy.

- a. Locate a solid wood fence with structured green screen along the north and south property line. Setback area should include sufficient space for landscaping, irrigation, a pedestrian pathway and green screen (A-5).
- b. Allow the windows on the adjacent residential structures on the north and south structures to inform location of proposed windows. Locate windows to minimize direct line of site into existing windows (A-5).
- c. Setback the guardrail and usable rooftop deck area from the north and south facades to maintain privacy for adjacent residents. The setback area should include a landscape planter (A-5).
- d. Investigate use of landscaping on rooftop by adding a planting buffer between rooftop amenity areas (A-7, E-2).

3. Further Development within the Setbacks. Setbacks provided at the perimeter of the site should provide usable outdoor rooms for residents while also acting as a transition area to adjacent uses.

- a. Design multiple pedestrian access walkways from 14th Avenue W to units. Design walkways to channel pedestrian traffic to the north and south edge of site in an effort to minimize pedestrian flow in front of street facing units (A-6, C-3, D-5)
- b. Develop front setback to include sufficient space for landscaping, retaining wall, stair well, and pedestrian pathways (A-6, E-2).
- c. Where primary pedestrian corridors are adjacent to residential windows utilize landscaping between living space windows and the pathway to create semi-private defensible space (A-6).
- d. Minimize height and length of retaining wall on front property line. Where retaining walls exist, create a friendly pedestrian experience by incorporating falling or climbing landscaping, or scored concrete (D-3).
- e. Provide clear signage along the street for residential units at the rear of the site (A-3).

4. Maximize Landscaping. Utilize landscaping in setback, within the courtyard and on rooftop where possible.

RECOMMENDATION MEETING: APRIL 10, 2013

The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number (3013594) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

or contacting the Public Resource Center at DPD:

Address: Public Resource Center
700 Fifth Ave., Suite 2000
Seattle, WA 98124

Email: PRC@seattle.gov

PUBLIC COMMENT

The following comments, issues and concerns were raised:

- Concerned about height of building and potential shadow impacts on the roof of the structure directly north.
- Prefer tall fence along the south property line to provide privacy for ground level units. Encourage evergreen planting along the property line to provide year round screening.
- Prefer new terraced retaining wall along the front lot line.
- Concerned existing alley cannot support construction equipment and vehicles. The alley has low overhead clearance due to existing trees and also lacks sufficient turn around space.

<h3>PRIORITIES & BOARD RECOMMENDATIONS</h3>
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At the Recommendation meeting, the Board discussed the response to EDG and offered the following recommendations for the proposal to meet the applicable Design Review Guidelines identified at the EDG meeting.

1. Massing and Site Planning

- a. The Board appreciated the nine townhouse units divided into three separate buildings surrounding a central courtyard space. Pedestrians are encouraged to utilize the courtyard, creating opportunities for residents to congregate and socialize within the site (A-1, A-7).

2. Materials

- a. The Board felt the building design concept and material application created a “handsome building” (C-2, C-4).
- b. The Board appreciated the 6 inch material ‘ribbon’ framing each vertical residential entry, the building base and roof parapet. The ribbon clearly articulates the identity of each unit while also dividing the façade into smaller residential scale pieces (B-1, C-2, C-4).

- c. The Board appreciated the use of warmer wood material denoting a ‘point-of-entry’ throughout the development (C-2, C-4).
- d. The Board was concerned about the material application on the north façade of the northwest corner unit. The Board felt the façade lacked the design continuity represented throughout the remainder of the development. The material application should be resolved with the same design consistency and eye to composition as the remainder of the side facades (C-2, C-4).

3. Privacy

- a. The Board noted the window overlay diagram and the efforts by the Design Team to locate buildings, the central courtyard and windows to minimize privacy intrusion to adjacent residential units (A-1, A-5).
- b. The Board would like to see a privacy fence on the north and south property lines incorporating year round evergreen material. The Board noted the fence should include sufficient solid material to provide screening between ground level units and the pedestrian traffic on common pathways until planting material reaches maturity (A-5).

4. Front Setback

- a. The Board appreciated the retaining wall modifications within the front setback. The revised proposal reduces the scale of the 8’ foot tall, 100 foot wide retaining wall by incorporating multiple entry points and human-scale wall terraces. The Board celebrated the dense climbing and falling landscaping used to soften the concrete structures (A-2, C-3, D-3).
- b. The Board encouraged the Design Team to study the landscaping palette used in the wall terraces to ensure the plants will flourish within the provided width and depth. The Board noted the success of the wall terrace was largely depended upon the ability to achieve the “lushness” of landscaping demonstrated within the recommendation packet (E-2).
- c. The Board noted the landscaping buffer located between front facing units and the common pathways consistent with Early Design Guidance (A-2).

5. Rooftop treatment

- a. The Board was concerned the rooftop landscaping could add substantial height and bulk at roof level, effectively increasing the perceived structure mass. The Board encouraged the applicant to select rooftop planting allowing visual permeability to the wood stair penthouse (B-1, C-2, C-4).
- b. The revised rooftop planting should maintain the 2’ planter setback on the north and south wall, which provides privacy from roof decks to adjacent residential units (A-5).

6. Way Finding Signage

- a. The Board noted the lighting provided on the front terrace was not aligned with unit way finding signage. The Board encouraged the applicant to locate lighting to illuminate both the staircase and the signage along the street (A-3, D-7).

DESIGN REVIEW GUIDELINES

The Board identified the following Citywide Design Guidelines of highest priority for this project. The specific guidelines are summarized below. The full text of the guidelines is available on the City of Seattle Department of Planning and Development website.

- A-1 **Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.
- A-5 **Respect for Adjacent Sites.** Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.
- A-6 **Transition Between Residence and Street.** For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.
- B-1 **Height, Bulk, and Scale Compatibility.** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.
- C-1 **Architectural Context.** New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.
- C-2 **Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.
- C-3 **Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.
- D-2 **Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.
- D-3 **Retaining Walls.** Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.

- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.
- E-2 Landscaping to Enhance the Building and/or Site.** Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.
- E-3 Landscape Design to Address Special Site Conditions.** The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departures is based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departures.

No design review departures have been requested.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated march 14, 2013, and the materials shown and verbally described by the applicant at the April 10, 2013, Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended **APPROVAL** of the subject design. The Board recommends the following **CONDITIONS** (Authority referred in the letter and number in parenthesis):

1. Resolve the material application on the north façade of the northwest corner unit. The material application should demonstrate the same design consistency and eye to composition as the remainder of the side facades (C-2, C-4).
2. Provide a privacy fence on the north and south property lines incorporating year round evergreen material. Demonstrate provided fence includes sufficient solid material to provide for screening between ground level units and the pedestrian traffic on common pathways until planting material reaches maturity (A-5).
3. Demonstrate landscaping proposed within the terrace retaining walls system has sufficient space to flourish and achieve the "lushness" of landscaping demonstrated within the recommendation packet (E-2).
4. Supply information for proposed rooftop planting. Provide evidence the proposed landscaping will not add height and bulk to the building massing, while also allowing visual permeability to the rooftop penthouse (B-1, E-2).

5. **Modify plans to locate proposed lighting to illuminate both the front staircase and the unit signage along the street (A-3, D-7).**

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed below.

SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 13, 2012. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for many short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Additional discussion of short and long term impacts is found below.

PUBLIC COMMENT:

The public comment period ended on January 23, 2013. No comment letters were received.

Short Term Impacts

Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other greenhouse gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675.A.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. There are no residential uses on any of the blocks surrounding the project site.

The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. If extended construction hours are desired, the applicant may seek approval from DPD through a Noise Variance request. The applicant's environmental checklist states that extended hours are not anticipated. The limitations stipulated in the Noise Ordinance are sufficient to mitigate noise impacts; therefore no additional SEPA conditioning is necessary to mitigation noise impacts.

Earth

The subject lot is located within an Environmentally Critical Area (ECA) for potential slide and abandoned landfill. The following temporary or construction-related impacts on the environmentally critical area are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794). The ECA Ordinance and Director's Rule (DR) 33-2006 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in landslide prone areas. Pursuant to this requirement the applicant submitted a geotechnical engineering study dated October 24, 2011 prepared by Earth Solutions NW, LCC. DPD Geotechnical engineers have reviewed the proposal for consistency with ECA regulations. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant. Codes and development regulations applicable to this proposed project, including the Environmentally Critical Areas Ordinance, Tree Protection Ordinance, Seattle Building Code, Stormwater Code, and Grading Code will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased height, bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increases in carbon dioxide and other greenhouse gas emissions; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Drainage Code which requires on site detention of Stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts, although some impacts warrant further discussion.

Long term or use-related impacts on the environmentally critical area are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by

impervious surfaces; loss of plant and animal habitat. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment. No additional conditioning is warranted pursuant to SEPA policies.

Emissions from the generation of greenhouse gases due to the increased energy and transportation demands may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project.

The other impacts such as but not limited to, increased traffic in the area and increased demand for parking; increased demand for public services and utilities and increased light and glare; are mitigated by codes and/or are not sufficiently adverse to warrant further mitigation by condition.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS - DESIGN REVIEW

Prior to Issuance of a Master Use Permit

1. Resolve the material application on the north façade of the northwest corner unit. The material application should demonstrate the same design consistency and eye to composition as the remainder of the side facades.
2. Provide a privacy fence on the north and south property lines incorporating year round evergreen material. Demonstrate provided fence includes sufficient solid material to provide for screening between ground level units and the pedestrian traffic on common pathways until planting material reaches maturity.

3. Demonstrate landscaping proposed within the terrace retaining walls system has sufficient space to flourish and achieve the “lushness” of landscaping demonstrated within the recommendation packet.
4. Supply information for proposed rooftop planting. Provide evidence the proposed landscaping will not add height and bulk to the building massing, while also allowing visual permeability to the rooftop penthouse.
5. Modify plans to locate proposed lighting to illuminate both the front staircase and the unit signage along the street.

For the Life of the Project

6. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Lindsay King, (206) 684-9218).
7. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all Building Permit drawings.

CONDITIONS - SEPA

None required.

Signature: _____ (signature on file) Date: June 17, 2013
Lindsay King, Senior Planner
Department of Planning and Development

LK:bg

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